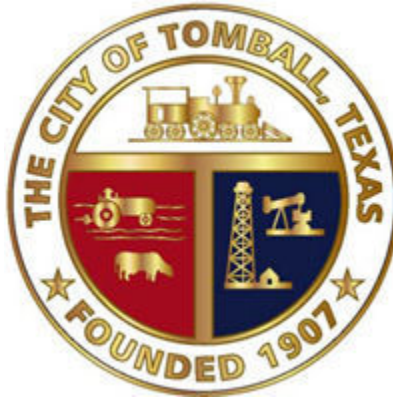


**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION
MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, AUGUST 8, 2011

5:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, August 8, 2011 at 5:00 P.M., City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
 - Joint City Council / Planning and Zoning Commission Meeting: Tuesday, September 6, 2011 at 4:00 p.m. – 401 Market Street, Tomball, Texas 77375
 - Downtown Specific Plan Public Workshop: Wednesday, September 7, 2011 at 6:00 p.m. – Community Center Room A, 221 Market Street, Tomball, Texas 77375

4.0 Consideration to Approve the Minutes of the following meetings:

- Regular Planning and Zoning Commission Meeting of July 11, 2011.
- Special Joint City Council / Planning & Zoning Commission Meeting of July 18, 2011

5.0 New Business:

- 5.1 Consideration to approve **J & A ENTERPRISE**: A replat of Lot 22 and "Unrestricted Reserve" of ED-MICH TRACT replat (Film Code No. 607031), into New Lot 22 in Block 61 of REVISED MAP OF TOMBALL, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas.
- 5.2 Consideration to approve **D'ANDREA SUBDIVISION REPLAT**: Being a Replat of Lot 1 and Lot 3 (2.4209 acres) of D'Andrea Subdivision, recorded under Harris County Film Code Number 474061, map records, Harris County, Texas, situated in the William Hurd Survey, Abstract 378, Harris County, Texas.
- 5.3 Consideration to approve **THE POINT FINAL PLAT**: Being a subdivision of 6.3637 acres of land out of the Claude M. Pillot Survey, Abstract No. 632, in the City of Tomball, Harris County, Texas.

6.0 Adjournment

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 4th day of August 2011 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer
Doris Speer
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT www.ci.tomball.tx.us.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: August 8, 2011

Data Sheet

Topic:

Background:

Origination:

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: August 8, 2011

Data Sheet

Topic:

- Joint City Council / Planning and Zoning Commission Meeting: Tuesday, September 6, 2011 at 4:00 p.m. – 401 Market Street, Tomball, Texas 77375
- Downtown Specific Plan Public Workshop: Wednesday, September 7, 2011 at 6:00 p.m. – Community Center Room A, 221 Market Street, Tomball, Texas 77375

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: August 8, 2011

Topic:

Consideration to Approve the Minutes of the following meetings:

- Regular Planning and Zoning Commission Meeting of July 11, 2011.
- Special Joint City Council / Planning & Zoning Commission Meeting of July 18, 2011

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

P&Z Regular Meeting Minutes 07.11.11

Special Joint CC and P&Z Minutes 07.18.11

**MINUTES OF
REGULAR PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, JULY 11, 2011

6:00 P.M.

1.0 Call to Order

The meeting was called to order by Chairman Wallace at 6:00 p.m. Other members present were:

Commissioner Beauvais
Commissioner Tague
Commissioner Kendler
Commissioner Chervenak

Others present:

Assistant City Planner – Rodney Schmidt
Assistant City Engineer – Lori Lakatos
Assistant City Secretary – Betsy Gates
City Attorney – Loren B. Smith

Draft

2.0 No Public Comments were received.

3.0 Reports and Announcements:

Rodney Schmidt announced the Joint City Council / Planning & Zoning Commission Meeting, Monday, July 18, 2011, at 6 p.m.

4.0 Motion was made by Commissioner Tague to approve the Minutes of the Planning & Zoning Commission meeting of June 13, 2011; second by Commissioner Kendler.

Motion carried unanimously.

5.0 New Business:

- 5.1 Rodney Schmidt presented an overview regarding the Comprehensive Plan and Downtown Specific Plan. No action taken.
- 5.2 Consideration was given to **PINE COUNTRY OF TOMBALL SECTION THREE REPLAT**; A residential subdivision of 29.4207 acres comprised of 5 residential estate acreage lots and being a Replat of Pine Country of Tomball, Section Three, a residential subdivision of 29.4207 acres comprised of 4 residential estate acreage lots as recorded in H.C. Film Code #632143, located in the John Edwards Survey A-20 and the Chauncey Goodrich Survey A-311, City of Tomball, Harris County, Texas

Lori Lakatos, Assistant City Engineer presented comment recommendations.

Commissioner Kendler made a motion to approve **PINE COUNTRY OF TOMBALL SECTION THREE REPLAT**; second by Commissioner Tague.

Motion carried unanimously.

- 5.3 Consideration was given to **ZONING CASE P11-333**: Request by Eagle Gasket and Packing Company, Inc., on behalf of Faires Properties Inc. LLC, to amend the City's Comprehensive Zoning Ordinance to rezone an approximately 3.86 acre site, legally described as Lot 1, Block 1, Eagle Gasket and Packing Company Subdivision Number 1 Replat, generally located on the easterly side of Ulrich Road, northerly of Hufsmith Road at 1110 Ulrich Road, Tomball, Texas from the SF-20-E Single-Family Estate Residential-20 District to the LI-Light Industrial District. (This case will be heard in conjunction with Zoning Case P11-334).

The Public hearing was opened by Chairman Wallace at 6:16 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report. Lawyer for Applicant, Gail Schubot, spoke on behalf of the request. Applicant, Ron Blumrick, also spoke on behalf of the request.

No comments were received and the Public Hearing was closed at 6:33 p.m.

Commissioner Tague made a motion to approve the rezoning request for **ZONING CASE P11-333**, but with an amendment to change the zoning district from LI-Light Industrial District to C-Commercial; second by Commissioner Kendler. Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>

Motion, as amended, carried unanimously.

- 5.4 Consideration was given to **ZONING CASE P11-334**: Request by Eagle Gasket and Packing Company, Inc., on behalf of Faires Properties Inc. LLC, for a Conditional Use Permit to operate a “Any Manufacture or Industrial Process Not Listed and Not Prohibited by Law” use. The property is an approximately 3.86 acre site, legally described as Lot 1, Block 1, Eagle Gasket and Packing Company Subdivision Number 1 Replat, generally located on the easterly side of Ulrich Road, northerly of Hufsmith Road at 1110 Ulrich Road, Tomball, Texas. The site is located in the SF-20-E Single-Family Estate Residential-20 District. (This case will be heard in conjunction with Zoning Case P11-333).

The Public Hearing was opened by Commissioner Wallace in conjunction with Zoning Case P111-333 at 6:18 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report. Lawyer for Applicant, Gail Schubot, spoke on behalf of the request. Applicant, Ron Blumrick, also spoke on behalf of the request.

No comments were received and the Public Hearing was closed at 6:33 p.m.

Commissioner Tague made a motion to approve the zoning request for **ZONING CASE P11-334**, with the condition that the property would be rezoned to the C-Commercial District as approved by the Planning and Zoning Commission for Zoning Case P11-333, second by Commissioner Kendler.

Commissioner Chervenak made a motion to approve the zoning request, with an amendment requiring that the Conditional Use Permits shall terminate effective upon a change in ownership of the land; second by Commissioner Kendler. Vote was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>

Motion, as amended, carried unanimously.

- 5.5 Consideration was given to **ZONING CASE P11-335**: Public hearing to consider a City-initiated text amendment to the Tomball Comprehensive Zoning Ordinance (Ordinance No. 2008-01) to amend Section 7 (“Nonconforming Uses & Structures”) and Section 9 (“Board of Adjustments”) to authorize the Board of Adjustments to grant special exceptions related to the continuance, conversion, enlargement, extension and expansion of nonconforming structures and uses.

The Public hearing was opened by Chairman Wallace at 6:46 p.m.

Rodney Schmidt, Assistant City Planner presented the staff report. No comments were received and the Public Hearing was closed at 6:50 p.m.

Commissioner Tague made a motion to **DENY ZONING CASE P11-335**, based on the idea that, while taking a zoning request directly to the Board of Adjustments would shorten the zoning process, it would also remove the City's current system of checks and balances, would remove Council's opportunity to review the zoning request, would require filing a lawsuit in district court to appeal a decision by the Board of Adjustments, and could impact the future of zoning requests in an unfavorable manner; second by Commissioner Kendler.

Commissioner Tague made a motion to amend the motion to **DENY ZONING CASE P11-335**, to allow the existing system of checks and balances involved with rezoning cases to remain in place, second by Commissioner Kendler. Vote to **DENY** was as follows:

Commissioner Tague	<u>Aye</u>
Commissioner Chervenak	<u>Aye</u>
Commissioner Beauvais	<u>Aye</u>
Commissioner Kendler	<u>Aye</u>
Commissioner Wallace	<u>Aye</u>

Motion to **DENY ZONING CASE P11-335** carried unanimously.

6.0 Motion was made by Commissioner Tague to adjourn; second by Commissioner Kendler.

Motion carried unanimously.

Meeting adjourned at 7:00 p.m.

PASSED AND APPROVED this _____ day of _____ 2011.

Betsy Gates, TRMC
Assistant City Secretary

Lori Wallace
Chairman

**MINUTES OF SPECIAL TOMBALL CITY COUNCIL AND
PLANNING AND ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**



**MONDAY, JULY 18, 2011
6:00 P.M.**

1.0 Call to Order

The July 18, 2011 Council meeting having been called to order by Mayor Gretchen Fagan, Chair Lori Wallace called the Planning and Zoning Commission Meeting to order at 7:15 p.m.

Council members present were:

Councilman Hudgens
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Planning and Zoning Commission Members present:

Commissioner Lori Wallace
Commissioner Barbara Tague
Commissioner James Kendler
Commissioner Michelle Beauvais
Commissioner Evelyn Torres-Chervenak

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren Smith
Finance Director – Glenn Windsor
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Assistant to City Manager – Shawn Cox
Assistant City Engineer – Lori Lakatos
Police Chief – Robert Hauck
Assistant City Planner – Rodney Schmidt

Draft

Administrative Assistant-Engineering – Brandy Pate
Executive Director-TEDC – Kelly Violette
Partners for Strategic Action - Peggy Fiandaca and Loras Rauch
Kimley Horn & Associates – Joe Willhite

- 2.0 No public comments were received during the special joint meeting.
- 3.0 Workshop Session:
- 3.1 The Tomball City Council and the Planning and Zoning Commission entered into a workshop session to review the Downtown Specific Plan, as presented by Partners for Strategic Action (PSA).
- 4.0 Motion was made by Barbara Tague, second by Michelle Beauvais, to adjourn the Planning and Zoning Commission portion of the meeting.

Motion carried unanimously.

Planning and Zoning Commission meeting adjourned at 7:55 p.m.

PASSED AND APPROVED this _____ day of _____ 2011.

Brandy Pate
Senior Administrative Assistant

Lori Wallace
Chairman

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: August 8, 2011

Data Sheet

Topic:

Consideration to approve **J & A ENTERPRISE**: A replat of Lot 22 and "Unrestricted Reserve" of ED-MICH TRACT replat (Film Code No. 607031), into New Lot 22 in Block 61 of REVISED MAP OF TOMBALL, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

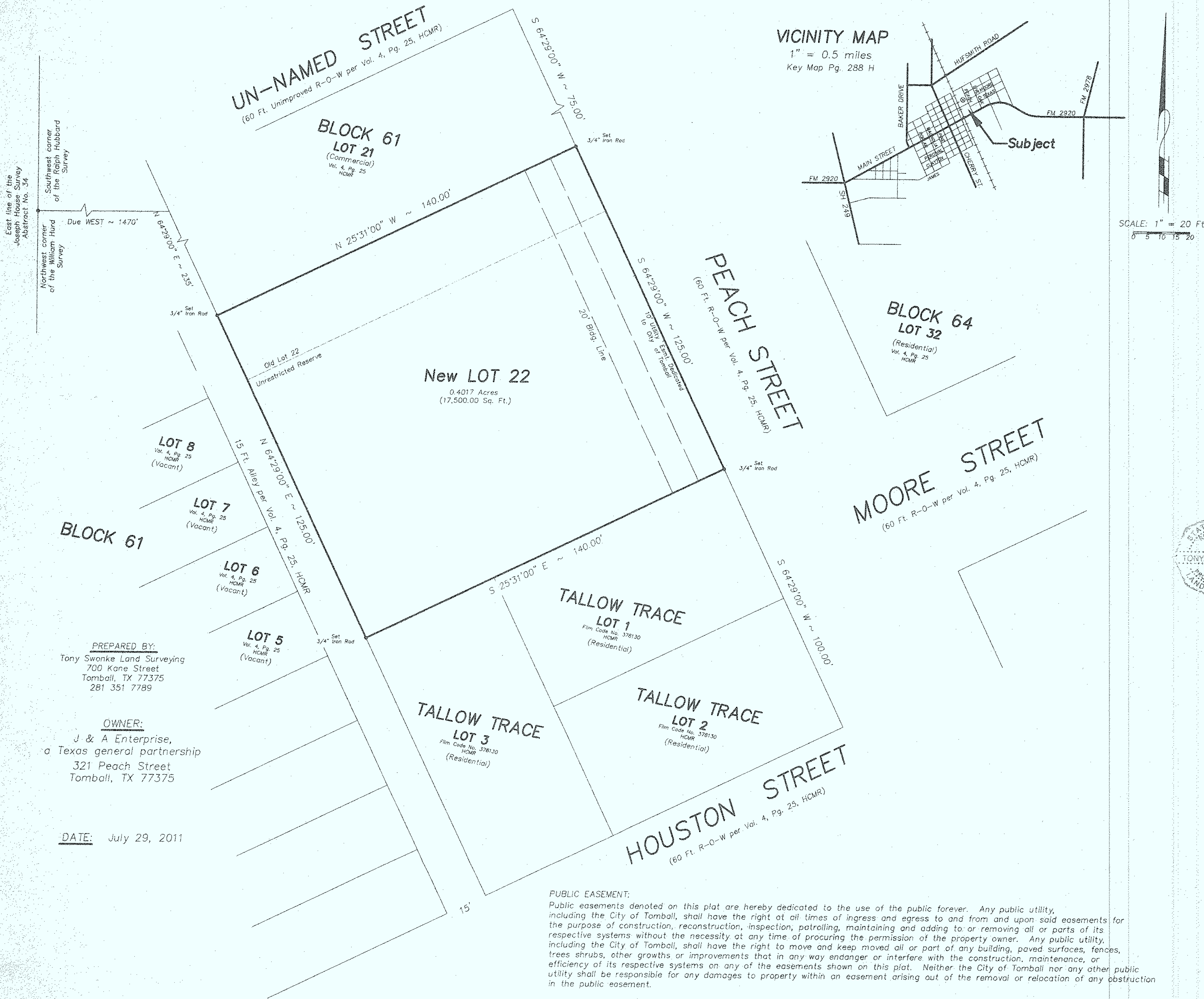
Party(ies) responsible for placing this item on agenda:

Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

J&A Enterprise Replat



FLOOD INFORMATION: According to FEMA Firm Panel No. 48201C0230 L (Dated June 18, 2007), this property is in Zone "X" and not in the 0.2% Annual Chance Flood Plain.

- Note #1 All oil/gas pipelines or pipeline easements through the subdivision have been shown.
- Note #2 All oil/gas wells (plugged, abandoned, and/or active) through the subdivision have been shown.
- Note #3 No building or structure shall be constructed across any pipelines building lines, and/or easements. Building setback lines will be required, adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- NOTE #4: This plat does not attempt to amend or remove any valid restrictions or covenants.
- NOTE #5: The building lines shown on this plat shall be in addition to, and shall not limit or replace, any building line required by the City of Tomball Code of Ordinances at the time of the development of the property.

PUBLIC EASEMENT:
Public easements denoted on this plat are hereby dedicated to the use of the public forever. Any public utility, including the City of Tomball, shall have the right at all times of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing oil or parts of its respective systems without the necessity at any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, paved surfaces, fences, trees shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

I, Thomas J. Colven, III, Trustee for Excel National Bank, owner and holder of a lien against the property described in the plat known as "J & A ENTERPRISE", said lien being evidenced by instrument recorded under Harris County Clerk's File No. 2010-0069725 of the Official Public Records of Real Property of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and I hereby confirm that I am the present owner of said lien and have not assigned the same nor any part thereof.

Thomas J. Colven, III, Trustee for Excel National Bank

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Thomas J. Colven, III, known to me to be the person whose name is subscribed to the foregoing instrument and has acknowledged to me that she has executed same for the purposes and consideration therein expressed, and in the capacity therein and herein stated, and as the act and deed of said leinholder.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____, 2011.

Notary Public in and for the State of ____ day of ____, 20__.

STATE OF TEXAS
COUNTY OF HARRIS

We, Jerry Brake and Ananth Prabhu, owners of J & A ENTERPRISE, hereinafter referred to as owners of the 0.4017 acre tract described in the above and foregoing plat of "J & A ENTERPRISE", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind myself and my heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents dedicate to the use of the public for public utility purposes an unobstructed aerial easement five feet in width from a plane twenty feet above the ground upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land 25 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage course located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain into this easement except by means of an approved drainage structure.

WITNESS our hand, this ____ day of ____, 2011.

Jerry Brake — Owner

Ananth Prabhu — Owner

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Jerry Brake and Ananth Prabhu, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein stated, and as the act and deed of said owner.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ____ DAY OF ____, 2011.

Notary Public in and for the State of Texas

My Commission expires on the ____ day of ____, 20__.

I, Tony P. Swonke, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

Tony P. Swonke
Registered Professional Land Surveyor No. 4767

This is to certify that the City accepts the Planning & Zoning Commission's authorized approval and acceptance of all dedicated public easements and rights-of-way in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this ____ day of ____, 2011.

Gretchen Fagan
Mayor

Doris Speer
City Secretary

We, the City Manager and City Engineer for the City of Tomball, do hereby certify that this plat of "J & A ENTERPRISE" is in conformance with the City of Tomball ordinances.

George Shockelford
City Manager

Lori Lakatos, P.E.
Acting City Engineer

This is to certify that the Planning Commission of the City of Tomball, Texas, has approved this plat and subdivision of "J & A ENTERPRISE", in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat on this ____ day of ____, 2011.

Lori Wallace
Chairman

Evelyn Torres-Chervenak
Vice-Chairman

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the ____ day of ____, 20__, at ____ o'clock __ M., and was duly recorded on the ____ day of ____, 20__, at ____ o'clock __ M. and filed under Film Code No. ____ of the Map Records of Harris County, Texas.

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DATE AND DATE LAST ABOVE WRITTEN.
Stan Stanart
Clerk of the County Court
Harris County, Texas

Deputy

REPLAT:

"J & A ENTERPRISE"

A replat of Lot 22 and "Unrestricted Reserve" of ED-MICH TRACT replat into New LOT 22 in Block 61 of REVISED MAP OF TOMBALL,

an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas. Said Block 61 being situated in the William Hurd Survey (A-371).

Containing: 1 LOT / 1 BLOCK

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: August 8, 2011

Data Sheet

Topic:

Consideration to approve **D'ANDREA SUBDIVISION REPLAT**: Being a Replat of Lot 1 and Lot 3 (2.4209 acres) of D'Andrea Subdivision, recorded under Harris County Film Code Number 474061, map records, Harris County, Texas, situated in the William Hurd Survey, Abstract 378, Harris County, Texas.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

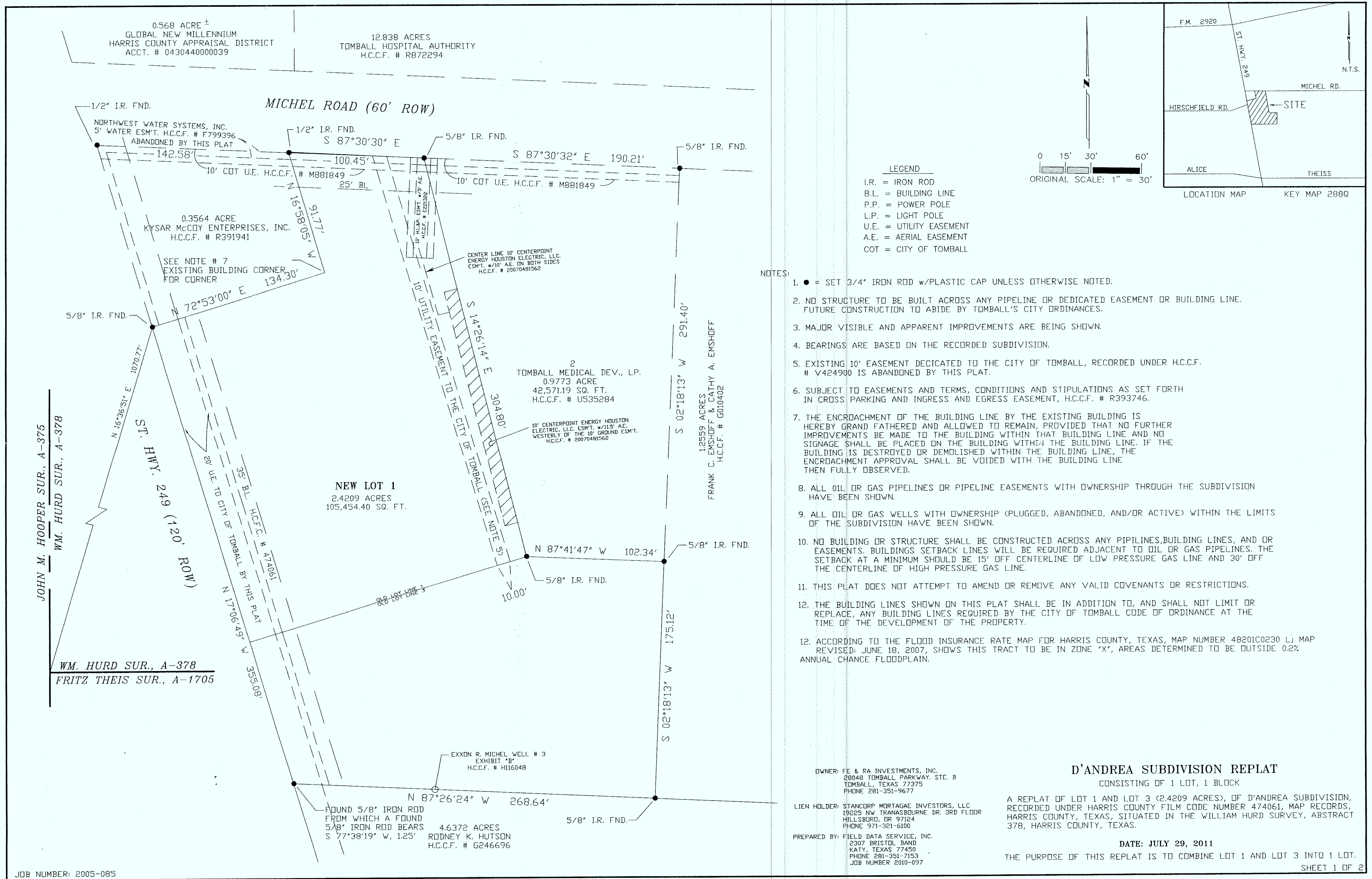
Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

D'Andrea Subdivision Replat 1 of 2

D'Andrea Subdivision Replat 2 of 2



THE STATE OF TEXAS
COUNTY OF HARRIS

LOTS 1 AND 3

WE, FE & RA INVESTMENTS, INC., ACTING BY AND THROUGH FELIPE GURRUSQUIETA, PRESIDENT, BEING OFFICER OF FE & RA INVESTMENTS, INC., OWNER HEREINAFTER REFERRED TO AS OWNERS OF THE 2.0205 ACRE TRACT, (LOT 1) AND A 0.4004 ACRE TRACT, (LOT 3), DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF D'ANDREA SUBDIVISION REPLAT, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LIENS, DEDICATIONS, RESTRICTIONS AND NOTATIONS OF SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND OURSELVES, MY HEIRS, SUCCESSORS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSES FOREVER AN UNOBSTRUCTED AERIAL EASEMENT FIVE FEET (5') IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON.

FURTHER, OWNERS DO HEREBY COVENANT AND AGREE THAT ALL OF THE PROPERTY WITHIN THE BOUNDARIES OF THIS PLAT SHALL BE RESTRICTED TO PROVIDE THAT DRAINAGE STRUCTURES UNDER PRIVATE DRIVEWAYS SHALL HAVE A NET DRAINAGE OPENING AREA OF SUFFICIENT SIZE TO PERMIT THE FREE FLOW OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN THREE QUARTERS SQUARE FEET (18" DIAMETER) WITH CULVERTS OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE DRIVEWAYS OR WALKWAYS CROSSING SUCH DRAINAGE FACILITIES.

IN TESTIMONY WHEREOF, FE & RA INVESTMENTS, INC., HAS CAUSED THESE PRESENTS TO BE SIGNED BY FELIPE GURRUSQUIETA, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BE ITS SECRETARY, RENE BENITEZ, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS _____ DAY OF _____, 2010.

FE & RA INVESTMENTS, INC.

BY: _____
FELIPE GURRUSQUIETA, PRESIDENT

ATTEST:

BY: _____
RENE BENITEZ, SECRETARY

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, FELIPE GURRUSQUIETA, PRESIDENT, FE & RA INVESTMENTS, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

LIENHOLDER

WE, STANCORP MORTGAGE INVESTORS, LLC, OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS D'ANDREA SUBDIVISION REPLAT, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD UNDER HARRIS COUNTY CLERK'S FILE NUMBER 20070089072, 20070098780, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND EFFECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

BY: _____, PRESIDENT

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GEORGE ARNAU, PRESIDENT, WOODFOREST NATIONAL BANK, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED, AND IN THE CAPACITY THEREIN AND HEREIN STATED, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2011.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

I, WILLIAM L. ANDERSON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT, WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND, THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR OTHER SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE QUARTERS INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3'), AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

WILLIAM L. ANDERSON
TEXAS REGISTRATION NUMBER 2053



OWNER: FE & RA INVESTMENTS, INC.
28048 TOMBALL PARKWAY, STE. B
TOMBALL, TEXAS 77375
PHONE 281-351-9677

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF D'ANDREA SUBDIVISION REPLAT IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2011.

BY: _____
LORI WALLACE, CHAIRMAN

BY: _____
TOM CROFOOT, VICE CHAIRMAN

THIS IS TO CERTIFY THAT THE CITY ACCEPTS THE PLANNING AND ZONING COMMISSION'S AUTHORIZED APPROVAL AND ACCEPTANCE OF ALL DEDICATED PUBLIC EASEMENTS IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF TOMBALL AS SHOWN HEREON AND AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2010.

BY: _____
GRETCHEN FAGAN, MAYOR

BY: _____
DORIS SPEER, CITY SECRETARY

WE, THE CITY MANAGER AND THE DIRECTOR OF ENGINEERING AND PLANING FOR THE CITY OF TOMBALL, DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE CITY OF TOMBALL'S ORDINANCES.

GEORGE SHACKZFORD, CITY MANAGER

LORI LAKATOS, P.E., DIRECTOR OF ENGINEERING AND PLANNING

I, STAN STANART, COUNTY CLERK OF HARRIS COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR REGISTRATION IN MY OFFICE ON _____, 2011, AT _____ O'CLOCK _____ M., AND DULY RECORDED ON _____, 2011, AT _____ O'CLOCK _____ M., AND AT FILM CODE NUMBER _____, OF THE MAP RECORDS OF HARRIS COUNTY FOR SAID COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE, AT HOUSTON, THE DAY AND DATE LAST ABOVE WRITTEN.

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

D'ANDREA SUBDIVISION REPLAT

PRELIMINARY
CONSISTING OF 1 LOT, 1 BLOCK

LIEN HOLDER: STANCORP MORTGAGE INVESTORS, LLC.
19225 NW TANASBOURN DR. 3RD FLOOR
HILLSBORO, OR 97124
PHONE# 971-321-6100

PREPARED BY: FIELD DATA SERVICE, INC.
2307 BRISTOL BAND
KATY, TEXAS 77450
PHONE 281-351-7153
JOB NUMBER 2010-097

A REPLAT OF LOT 1 AND LOT 3 (2.4209 ACRES), OF D'ANDREA SUBDIVISION, RECORDED UNDER HARRIS COUNTY FILM CODE NUMBER 474061, MAP RECORDS, HARRIS COUNTY, TEXAS, SITUATED IN THE WILLIAM HURD SURVEY, ABSTRACT 378, HARRIS COUNTY, TEXAS.

DATE: JULY 29, 2011

THE PURPOSE OF THIS REPLAT IS TO CHANGE THE SIZE OF LOT 1 AND LOT 3.

Regular Planning and Zoning Commission

Agenda Item

Meeting Date: August 8, 2011

Data Sheet

Topic:

Consideration to approve **THE POINT FINAL PLAT**: Being a subdivision of 6.3637 acres of land out of the Claude M. Pillot Survey, Abstract No. 632, in the City of Tomball, Harris County, Texas.

Background:

Origination:

Engineering and Planning

Recommendation:

Funding:

Party(ies) responsible for placing this item on agenda:

Engineering and Planning

ACTION TAKEN		
APPROVAL	READINGS PASSED	OTHER
☐ YES ☐ NO	☐ 1 ST ☐ 2 ND	

ATTACHMENTS:

The Point Final Plat

